

2 **SB 5835** - S AMD 049

3 By Senators Finkbeiner, McAuliffe, Honeyford and Thibaudeau

4 On page 2, after line 5, insert the following:

5 "NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.210
6 RCW to read as follows:

7 Public school districts may provide for the administration of
8 epinephrine to students who suffer an anaphylaxis allergic reaction
9 when the students are in the custody of the school district, pursuant
10 to chapter 18.79 RCW, if the epinephrine is provided in compliance
11 with:

12 (1) Rules adopted under section 4 of this act by the state
13 nursing care quality assurance commission, and the instructions of
14 a registered nurse or advanced registered nurse practitioner
15 issued under the rules; and

16 (2) Written policies of the school district that are adopted to
17 implement this section and are developed in accordance with
18 chapters 41.56 and 41.59 RCW.

19 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.210
20 RCW to read as follows:

21 (1) If a school employee provides for the administration of
22 epinephrine to a student under chapter 18.79 RCW and this chapter in
23 substantial compliance with: (a) Rules adopted by the state nursing
24 care quality assurance commission and the instructions of a
25 registered nurse or advanced registered nurse practitioner issued
26 under such rules, and (b) written policies of the school district,
27 then the employee, the employee's school district and school of
28 employment shall not be liable in any criminal action or for civil
29 damages in their individual, marital, governmental, corporate, or
30 other capacity as a result of providing epinephrine.

31 (2) To be eligible to administer epinephrine, an employee not
32 licensed under chapter 18.79 RCW, shall file, without coercion by
33 the employer, a voluntary written, current, and unexpired letter
34 Of intent stating the employee's willingness to administer

1 epinephrine in compliance with established guidelines. If a public
2 school employee who is not licensed under chapter 18.79 RCW
3 chooses not to file a letter under this section, the employee
4 shall not be subject to any employer reprisal or disciplinary
5 action for refusing to file a letter.

6 NEW SECTION. **Sec. 4.** A new section is added to chapter 18.79
7 RCW to read as follows:

8 (1) In accordance with the rules adopted by the commission,
9 public school districts may provide for the administration of
10 epinephrine to students suffering an anaphylaxis allergic reaction when
11 the students are in the custody of the school district.

12 (2) After consultation with staff of the superintendent of
13 public instruction, the commission shall adopt rules in accordance
14 with chapter 34.05 RCW, that provide for the following and such
15 other matters as the commission deems necessary to the proper
16 implementation of this section:

17 (a) A requirement for a written, current, and unexpired request
18 from a parent, legal guardian, or other person having legal
19 control over the student that the school district provide for the
20 administration of epinephrine to the student;

21 (b) A requirement for a written, current, and unexpired request
22 from a physician licensed under chapter 18.71 or 18.57 RCW that
23 administering epinephrine to a student be provided for during the
24 hours when school is in session or the hours when the student is
25 under the supervision of school officials;

26 (c) A requirement for written, current, and unexpired
27 instructions from an advanced registered nurse practitioner or a
28 registered nurse licensed under this chapter regarding
29 administration of epinephrine that include: (i) A designation of the
30 school district employee or employees who may administer the
31 epinephrine, and (ii) a description of the nature and extent of any
32 required supervision; and

33 (d) The nature and extent of acceptable training that shall:
34 (i) Be provided by a physician, advanced registered nurse
35 practitioner, or registered nurse licensed under chapter 18.71 or
36 18.57 RCW, or this chapter, and (ii) be required of school
37 district employees who administer the epinephrine to the student
38 under this section, except that a licensed practical nurse

1 licensed under this chapter is exempt from training."

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4 On page 1, line 1, of the title after "epinephrine;" strike all
5 material through "RCW 18.73.250" insert the following:

6 "amending RCW 18.73.250, adding a new section to chapter 18.79 RCW, and
7 adding new sections to chapter 28A.210 RCW."

« END »

EFFECT: Allows public school districts to provide for the administration of epinephrine to students by school employees in compliance with rules and policies, provides immunity to employees who administer epinephrine to students in compliance with rules and policies, and protects employees against employer reprisal when an employee refuses to agree to administer epinephrine.